

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

SAMUEL H. WILLIAMS,

Plaintiff,

v.

UNKNOWN RONEY, et al.,

Defendants.

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No. 4:19-cv-3211-AGF

**MEMORANDUM AND ORDER**

This matter is before the Court on the motion of plaintiff Samuel H. Williams, registration number 1200783, for leave to commence this civil action without prepayment of the filing fee. The motion will be denied, and this case will be dismissed without prejudice to the filing of a fully-paid complaint.

Plaintiff is a prisoner who, while incarcerated, has filed at least three civil actions that were dismissed on the grounds that they were frivolous, malicious, or failed to state a claim upon which relief may be granted.<sup>1</sup> The Prison Litigation Reform Act of 1996 provides, in relevant part:

In no event shall a prisoner bring a civil action ... under this section if the prisoner has, on three or more prior occasions, while incarcerated or detained in any facility, brought an action ... in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). Therefore, plaintiff may proceed in forma pauperis in this action only if he “is under imminent danger of serious physical injury.” *Id.*

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<sup>1</sup> See *Williams v. Russell*, No. 4:11-cv-611-RWS (E.D. Mo. 2011); *Williams v. Russell*, No. 4:11-cv-1590-RWS (E.D. Mo. 2011); *Williams v. Sauble*, No. 2:08-CV-4218-NKL (W.D. Mo. 2008).

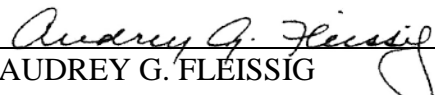
In the instant complaint, plaintiff alleges he was wrongfully given a conduct violation, and placed in administrative segregation for a period of time. He asks this Court to “put a stop to this kind of abuse,” and award him \$80,000 in damages. Plaintiff’s allegations do not establish that he is under imminent danger of serious physical injury. He therefore may not proceed in forma pauperis in this action. As a result, the Court will deny plaintiff’s motion for leave to proceed in forma pauperis, and will dismiss this case without prejudice to the filing of a fully-paid complaint.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff’s motion for leave to proceed in forma pauperis (ECF No. 2) is **DENIED**.

**IT IS FURTHER ORDERED** that this case is **DISMISSED** without prejudice to the filing of a fully-paid complaint. A separate order of dismissal will be entered herewith.

Dated this 12th day of December, 2019.

  
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AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE